TL1505-15

RIGHT OF REPLY ON ITEM 10
BY H.E. POEDJI KOENTARSO
OF THE REPUBLIC OF INDONESIA
GENEVA 24 FEBRUARY 1988.

Mr. Chairman,

My delegation has asked for the floor in order to speak on Item 10 (c): Question of Enforced or Involuntary Disappearances, and specifically, to respond to the statement made yesterday by the distinguished representative of Portugal.

In that part of her statement which referred to Indonesia, the distinguished representative of Portugal prefaced her remarks by in effect accusing us of not considering ourselves obligated to, or of having any respect for the Working Group on Enforced or Involuntary Disappearances. We are frankly at a loss how she could have arrived at such a conclusion, but it is precisely these kinds of presumptuous notions which we have become accustomed to hear from Portuguese delegates whenever they refer to the subject of East Timor. I am sorry to say, however, that in doing so, they neither add to the strength of their arguments nor to the quality of our discussions, either here in the Commission or elsewhere. For the fact of the matter is that the Indonesian Government has always co-operated with the Working Group, although we had difficulties with some of its procedural methods in the past. As Commission members know, in 1983 an Understanding was worked out with the Chairman of the Working Group and the ICRC on how to deal effectively with the question of alleged missing persons in East Timor. This Understanding is essentially designed to meet the genuine humanitarian concerns of especially the relatives of alleged missing persons seeking information on the whereabouts of family members. This approach was felt to be the correct one as in the past certain groups and organisations have frequently sought to manipulate this issue for

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political purposes by raising unsubstantiated and often highly exaggerated allegations. Last year, as a divergence became apparent between certain procedural aspects of that Understanding and those of the Working Group, which may have given rise to misinterpretation, my Government decided nevertheless and as a manifestation of its good faith and goodwill, to provide the requested information on those cases to the Working Group without prejudice to the earlier Understanding it had reached with the Working Group and with the ICRC.

Since this Understanding was reached, Mr. Chairman, co-operation between the Indonesian Government and the Working Group has proceeded more productively, as can be observed from the Report of the Working Group for 1987 (Document E/CN4/1988/19 relating to Indonesia contained in paragraphs 120 through 124). We would have thought that this fact could at least have rated an acknowledgement by the Portuguese representative.

In short, Mr. Chairman, it is and remains the policy of the Indonesian Government, in line with its State philosophy and its Constitutional and legal obligations, to co-operate fully with the United Nations, with other friendly countries, as well as with reputable humanitarian organisations in the pursuit of genuine humanitarian objectives and the resolution of human rights problems. This certainly includes the question of enforced or involuntary disappearances and we would like to assure the Commission, as well as the Working Group, of our continued co-operation on this question in the years ahead.

Having said this, Mr. Chairman, my delegation deems it pertinent to re-emphasize that Indonesia cannot be made accountable for persons allegedly missing in East Timor following the tragic train of events suffered by the East Timorese people after 1974 and especially during the 1975 civil war and the reign of terror unleashed by Fretilin. No amount of misrepresentation, disinformation or outright fabrication can remove the responsibility that Portugal and the Fretilin must bear for this dark episode of the East Timorese tragedy. Nor can Portugal argue

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away the central fact that it is Portugal itself which disrupted the decolonisation process in that territory in August 1975, by simply abandoning East Timor in a most irresponsible manner and after first allowing the situation in the territory to deteriorate into violent upheaval, bloodshed and civil strife.

Mr. Chairman,

Despite the findings by many foreign governmental and parliamentary delegations which have visited East Timor over the years and reports by many international humanitarian organisations, the distinguished representative of Portugal persists in efforts to picture conditions and the situation in East Timor in the most appalling terms. Without any further corroboration by facts, she speaks again of summary executions, disappearances and torture - allegations which if they were to contain any validity or degree of truth would surely have found their way into the reports of the Special Rapporteurs on Disappearances, on Torture or on Summary or Arbitrary Executions. But then, throughout the years, we have never found Portuguese representatives to be lacking in imagination, nor in the capacity to present half-truths and insinuations. In this context, we note for example that the distinguished representative of Portugal again referred to the letter which forty American Senators have addressed to the US Secretary of State in July of last year. But as usual, she conveniently forgot to mention that the US State Department has indeed responded to that letter. Perhaps it is understandable that the Portuguese representative would not want to give publicity to that response, for it contains a clear and detailed rebuttal of the points raised by the Senators on the situation prevailing in East Timor.

My delegation is always hesitant to quote from letters or documents emanating from other Governments. But since it is the Portuguese delegation that is giving prominence to the letter sent by the US Senators, does not simple fairness call for equal reference and exposure of the answer to that letter which would thus provide the full facts on

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the matter for the objective consideration of the Commission ?

The distinguished Portuguese Representative also repeats the well-worn lament that the territory of East Timor is "closed to visits by independent observers, humanitarian organisations and the international press" - a claim which has been repeatedly and thoroughly refuted in the past.

The facts, Mr. Chairman, as distinct from the fiction that continues to be spread, is that UNICEF, UNHCR, the ICRC and the Catholic Relief Services (CRS) have been operating in East Timor for many years now, some since 1979. Furthermore, over the years, the Indonesian Government has regularly provided access to East Timor to scores of foreign dignitaries, diplomats, foreign journalists and various parliamentary missions and their findings and observations have always been widely publicized. Among the most recent visits we could mention that of members of the Canadian Parliament, including members of the Opposition, who visited the province on 17-19 November 1987, and Mr. Janssen Van Raay, a Dutch member of the European Parliament, who after a trip to East Timor only last month, stated to Reuters and ANTARA news agency reporters that after having travelled all over the territory, he did not observe any military or security problem, nor any evidence of persistent human rights abuses. ~~[Moreover, as the representative of Portugal is also aware, a Portuguese journalist, Mr. Nuno Rocha of "O Tempo" magazine visited East Timor last year and his reports have been quite revealing to both the Portuguese public and the Portuguese political establishment since they are in such stark contrast to the deliberate disinformation disseminated by Indonesia's detractors over the years.]~~

Thus, in response to Portugal's claim of inaccessibility of East Timor to outside observers, let me recall the remarks made by my Foreign Minister on 20th June 1985 in Jakarta in which he reiterated Indonesia's policy in this respect. Not only did he welcome the concerns and suggestions for improvements of bona fide humanitarian organisations,

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such as the ICRC has been doing in East Timor for several years now, but he added that such constructive criticism would be beneficial all round. As my Foreign Minister stressed, we do not prevent people from visiting East Timor, but we want these people to be responsible, reputable people of whom we can be reasonably sure that they would make an honest and unbiased observation of the situation.

Thank you, Mr. Chairman.